Forest Land-Palghar

Diversion of 0.479 ha. Mangrove (Reserve Forest) and Mangrove (mudflat) land in favour of Maharashtra Maritime Board for construction of Kharwadeshri Approach Jetty and Sloping Berthing Jetty and Approach road facilitated to RO-RO Jetty in Village Jalsar & Kharmendri, Tal. & District Palghar in the State of Maharashtra.

Government of Maharashtra

Revenue and Forest Department

Government Order No. FLD-12A20/C.R.151/F-10

Mantralaya, Mumbai 400032.

Date:- 02.07.2024.

Reference:

1) Additional Principal Chief Conservator of Forests & Nodal Officer, Letter No. Desk-17/NC/II/I.D.12790/(71)/297/2020-21, dt.29.07.2020.
2) Integrated Regional Office, Ministry of Environment, Forests & Climate Change, Government of India, Nagpur Letter No.FC-I/MH-184/2020-NGP/7376, dt. 22.10.2020.
3) Additional Principal Chief Conservator of Forests & Nodal Officer, Letter No. Desk-17/2/Nodal/Thane/ID-12819(75)/1196/2022-23, dt. 10.08.2022.
4) Regional Office, Ministry of Environment, Forests & Climate Change, Government of India, Nagpur Letter No. FC-I/MH-184/2020-NGP/12715, dt. 06.01.2024.
5) Additional Principal Chief Conservator of Forests & Nodal Officer, Letter No. Desk-17/Nodal/FCA/S2/PID-42319/Thane/2023-24/04, dt. 01.04.2024.

Order:-

Whereas, the Additional Principal Chief Conservator of Forests & Nodal Officer, Nagpur vide letter under reference No.1 has submitted a proposal to Deputy Director General of Forests (Central), Government of India, Ministry of Environment & Forests, Regional Office (WCZ), Nagpur for diversion of 0.479 ha. Mangrove (Reserve Forest) and Mangrove (mudflat) land in favour of Maharashtra Maritime Board for construction of Kharwadeshri Approach Jetty and Sloping Berthing Jetty and Approach road facilitated to RO-RO Jetty in Village Jalsar & Kharmendri, Tal. & District Palghar in the State of Maharashtra;

AND whereas, the Government of India after due consideration, vide letter under reference No.2, accorded 'In-principle' approval to divert the 0.479 ha. Forest Land for the above project under section 2 of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. The said approval is subject to fulfillment of certain conditions by the User Agency;

AND whereas, the Additional Principal Chief Conservator of Forests & Nodal Officer, Maharashtra State, Nagpur vide letter under reference No.3 has submitted compliance of those conditions to the Government of India;

AND whereas, the Regional Office, Ministry of Environment, Forests & Climate Change, Government of India, Nagpur, vide under reference no.4 accorded 'Final approval' to divert the of .0479 ha of Mangrove (Reserve forest) and Mangrove (Mudflat) land in favour of Maharashtra Maritime Board for construction of Kharwadeshri Approach Jetty and Sloping Berthing Jetty and Approach road facilitated to RO-RO Jetty in Village Jalsar & Kharmendri, Tal. & District Palghar in the State of Maharashtra under section 2 of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980;

AND whereas, the Additional Principal Chief Conservator of Forests & Nodal Officer, Maharashtra State, Nagpur vide letter under reference No.5 has requested State Government to issue diversion order in the matter;

NOW, therefore, Government of Maharashtra hereby directs that the area of 0.479 ha. consisting of Mangrove (Reserve Forest) and Mangrove (Mudflat) Land more specifically described in the proposal submitted vide letter under reference No. 1 and as per details given in the Schedule given below, be diverted to the User Agency, i.e. Maharashtra Maritime Board for construction of Kharwadeshri Approach Jetty and Sloping Berthing Jetty and Approach road facilitated to RO-RO Jetty in Village Jalsar & Kharmendri, Tal. & District Palghar in the State of Maharashtra.

The diversion shall be effected subject to the terms and conditions mentioned in the letters dated 22.10.2020 and dated 06.01.2024 of Regional Office, MoEF&CC, Nagpur. This approval for diversion of forest land is also subject to compliance of following conditions by the User Agency-

1. If the number of Trees / Mangrove trees to be felled increases during implementation of the project, user agency shall obtain prior permission from Central Government and Hon'ble High Court accordingly.

2. The User Agency shall comply with all the conditions stipulated in the 'in-principle' and 'final approval' letters of Regional Office, MoEF&CC, Nagpur, referred above. The Chief Conservator of Forests (T), Thane shall ensure the strict compliance of the conditions by the User Agency and shall furnish the report in this regard to Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State, Nagpur from time to time.

3. For ensuring the compliances and for monitoring the duly prescribed activities and also to carry out other statuary duties, user agency shall facilitate unhindered access/entry in the area to the local forest Officer. In case the user agency prohibits the free access or create hindrances, the permission given under this Order for the diversion of forest area for the non-forest use shall be withdrawn.

4. Non-compliance of any of the conditions mentioned in Regional Office, MoEF&CC letters dated 22.10.2020 and dated 06.01.2024, in this order and Rules & Guidelines made / issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, shall amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken accordingly.

5. In case of non-compliance of any of the above conditions, the Chief Conservator of Forests (T), Thane shall report through the State Government to the Deputy Director General of Forests (Central), Ministry of Environment, Forests & Climate Change,

Government of India, Nagpur as per procedure laid down in guidelines under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

SCHEDULE

Village	Taluka & District	Item of Work/ Proposed	Forest Land Required				Legal Status	Remarks
			Survey No.	L X W	Area (Sq. Mtr	Area (Ha.)		
Jalsar	Palghar	Approach Road	1185	85 X 15	1275	0.1275	Mangrove (Reserve Forest)	Mangrove Sparse as per MRSAC
		Approach Road	S1	26 X 15	390	0.039	Mangrove (Mudflat)	Mudflats as per MRSAC Map (Unsurveyed Land)
Kharmendi	Palghar	Approach Road	16	75 X 15	1125	0.1125	Mangrove	Mangrove Sparse as per MRSAC Map (Private Land)
		Parking Area	16	50 X 15	2000	0.200		
Total					**4790**	**0.479**		

This Government Order o is available on Government of Maharashtra's website www.maharashtra.gov.in with Reference No. 202407021708207919. This order has been signed digitally.

By order and in the name of the Governor of Maharashtra.

GANESH TUKARAM JADHAO

Digitally signed by GANESH TUKARAM JADHAO
DN: c=IN, o=GOVERNMENT OF MAHARASHTRA, ou=REVENUE AND FOREST DEPARTMENT, 2.5.4.20=0078f58512d3ac01315bbbfa4b473ed7729dd2d31644106e2966ab9ee6e92d7d, postalCode=400032, st=Maharashtra, serialNumber=6FEEDE606678D569A76B842319BD1C2969AA85BBA5CDCCEE147249F17965E8BB, cn=GANESH TUKARAM JADHAO
Date: 2024.07.02 18:20:43 +05'30'

(Ganesh Jadhao)

Under Secretary to the Government of Maharashtra

Copy:

1. Secretary, Ministry of Environment, Forests & Climate Change, Government of India, New Delhi.
2. Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur.
3. Deputy Director General of Forests (Central), Ministry of Environment, Forests & Climate Change, Government of India, Nagpur.
4. Principal Chief Conservator of Forests & CEO, Maha-CAMPA, Nagpur.
5. Addl. Principal Chief Conservator of Forests & Nodal Officer, Nagpur.
6. Additional Principal Chief Conservator of Forests (Conservation), Nagpur.
7. Collector, Palghar.
8. Chief Executive Officer, Zilha Parishad, Palghar.
9. Chief Conservator of Forests (T), Thane.
10. Deputy Conservator of Forests, Dahanu.
11. Executive Engineer, Maharashtra Maritime Board, Mumbai, Indian Mercantile Chambers, 3rd Floor, 14 Ramjibhai Kamani Marg, Ballard Estate, Mumbai.
12. Select File.

I. Collector- Palghar and Chief Executive Officer, Zilha Parishad, Palghar are hereby directed to forward the copy of this order to concerned Heads of Local Bodies, Panchayats, Municipal Bodies in addition to the relevant offices of the Government and they shall also ensure the display of this order on their notice board as well as on the notice board of local self-government bodies for the information of general public.

II. Executive Engineer, Maharashtra Maritime Board, Mumbai is hereby directed to publish the entire order of forest clearances granted in verbatim along with the details of Survey No., Gut No., area and legal status of each Survey, Gut No. etc. and along with the conditions and safe guards imposed by the Central Government while granting forest clearances in two widely circulated daily newspapers, one in vernacular language and other in English language. Copy of the Newspapers be submitted to Chief Conservator of Forests (T), Thane, Deputy Conservator of Forests, Dahanu.

III. Heads of Local Bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government are hereby directed to display the same on their notice board for 30 days from the date of receipt for the information of general public.